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June 4, 2015

BY ECF

The Honorable Gregory H. Woods
United States District Judge
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street, Room 2260
New York, NY 10007

Re: *Nungesser v. Columbia University, et al.*,
No. 1:15-cv-3216-GHW (S.D.N.Y.)

Dear Judge Woods:

We represent the defendants Columbia University, Trustees of Columbia University, Lee C. Bollinger, and Jon Kessler ("Defendants") in the above-captioned matter. I write this letter jointly on behalf of both Plaintiff and Defendants pursuant to Rule 1.E of the Court's Individual Rules of Practice in Civil Cases (the "Individual Rules") to request an adjournment of the initial pretrial conference currently scheduled for June 25, 2015 and to request a further modification of the schedule.

Relevant Background

Plaintiff's original Complaint was filed on April 23, 2015. On May 1, 2015, the Court issued an Order granting Defendants' April 30, 2015 request for an extension until June 19, 2015 to respond to Plaintiff's Complaint. On May 13, 2015, the

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Court issued a Notice of Initial Pretrial Conference, setting the initial pretrial conference for June 25, 2015 and also setting a date of June 18, 2015 for the parties' submission of their joint letter and case management plan. The next day, on May 14, 2015, Plaintiff filed an Amended Complaint. Other than the April 30, 2015 request, there have been no previous requests for adjournment or extension of any of the deadlines in this case.

In light of the filing of the Amended Complaint and in light of my own unavailability on June 25 due to a previously-scheduled trip to California, the parties met and conferred regarding the schedule. Although the Defendants were prepared to move forward on a more expedited schedule than what is set forth below, Mr. Miltenberg asked for a lengthier briefing schedule due to personal circumstances beyond his control and we agreed to that request.

Proposed Revised Schedule

Accordingly, as a result of the parties' discussions, we jointly propose the following revised schedule (all dates are for 2015):

<u>July 10:</u>	Parties to submit joint letter and case management plan
	Defendants to file pre-motion letter pursuant to Rule 2.C of the Individual Rules concerning anticipated motion to dismiss Amended Complaint
<u>Week of July 20:</u>	Initial pre-trial/pre-motion conference
<u>August 7:</u>	Defendants to file motion to dismiss the Amended Complaint
<u>September 28:</u>	Plaintiff to file opposition to Defendants' motion to dismiss Amended Complaint
<u>October 16:</u>	Defendants to file reply in further support of motion to dismiss Amended Complaint ¹

¹ The parties have not prepared a schedule with respect to any cross-motion by Plaintiff (such as a motion to amend) since that would be premature. Moreover, it is the Defendants' position that if Plaintiff seeks to amend the complaint based on facts known to him at this time, then he should do so now so that the Defendants do not have to undertake the burden and expense of moving against what could potentially be a non-operative complaint.

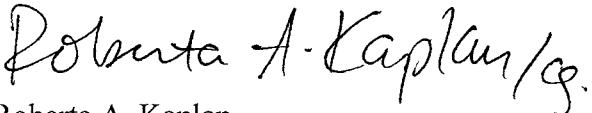
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We hope that the above schedule is acceptable to the Court. Of course, to the extent that Your Honor has any questions or requires additional information, the parties are available at the Court's convenience to discuss this proposed schedule or any other matters.

Respectfully submitted,

A handwritten signature in black ink that reads "Roberta A. Kaplan/cg." The signature is written in a cursive, flowing style.

Roberta A. Kaplan

cc: Andrew T. Miltenberg